

REMARKS

Claims 1-6, 13, 14, 17-19, 25, 27, and 31-34 remain in the application and claims 1, 13, 17, 25, 27, and 34 have been amended hereby. Claims 7-12, 15, 16, 21-23, and 36-38 have been cancelled, without prejudice or disclaimer.

Reconsideration is respectfully requested of the rejection of claims 17-19 and 25 under 35 USC 103(a), as being unpatentable over Tatebayashi et al. in view of Smith et al.

Features of the transmission apparatus and method for preventing illegal decryption of transmitted data according to the present invention are a random-noise-adding unit (11 in Fig. 2) for adding first random data having a first arbitrary data length into a beginning portion of the transmitted data, and second random data having a second arbitrary data length, different than the first arbitrary data length, into an end portion of the transmitted data. See Fig. 3C and page 16, line 22 to page 18, line 2 of the present application, for example.

An advantage of these features of the present invention is that they make it more difficult to carry out an illegal decryption. See page 18, lines 2-5 of the present application, for example.

Tatebayashi et al. relates to a method for transferring a secret key using a message (M) as a carrier. See col. 4, lines 26-32 of Tatebayashi et al.

It is respectfully submitted that Tatebayashi et al. fails

to show or suggest the adding of different random data into the beginning and the end of the data to be transmitted. The message (M) of Tatebayashi et al. is clearly encrypted and transmitted separately from the data. See first path formed by 101, 102, and 110 in Fig. 1 used for transmitting and encrypting the data to be transmitted, and second path formed by 106, 107, and 112 in Fig. 1 for generating and encrypting the message (M) in Tatebayashi et al.

Further, the office action at page 3 concedes that Tatebayashi et al. fails to show or suggest the random data having an arbitrary length and cites Smith et al. as curing this deficiency.

It is respectfully submitted that Smith et al. is silent about the generation of first and second random data having first and second different arbitrary lengths. Smith et al. is merely teaching the use of variable packet lengths to optimize the usable transmission bandwidth.

Accordingly, it is respectfully submitted that amended independent claims 17 and 25, and the claims depending therefrom, are patentable distinct over Tatebayashi et al. in view of Smith et al.

Reconsideration is respectfully requested of the rejection of claims 1-6, 13, 14, 27, 31-33, 34, and 36-38 under 35 USC 103(a), as being unpatentable over Tatebayashi et al. in view of Smith et al. and Wasilewski.

It is respectfully submitted that the combination of Tatebayashi et al., Smith et al., and Wasilewski fails to show or suggest inserting first random data having a first arbitrary data length into a beginning portion of a packet-converted digital data, and second random data having a second arbitrary data length, different than the first arbitrary data length, into an end portion of the packet-converted digital data.

As discussed above, the combination of Tatebayashi et al. and Smith et al. fails to show or suggest the above-noted features of the present invention and, because there are no features in Wasilewski that somehow could be combined with Tatebayashi et al. and Smith et al. and result in the presently claimed invention, it is respectfully submitted that amended independent claims 1, 13, 27, and 34, and the claims depending therefrom, are patentable distinct over Tatebayashi et al. in view of Smith et al. and Wasilewski.

Claims 7-12, 15, 16, 21, 22, and 26 have been cancelled, thereby rendering the rejection thereof moot.

Entry of this amendment is earnestly solicited, and it is respectfully submitted that the amendments made to the claims hereby raise no new issues requiring further consideration and/or search, because all of the features of this invention have clearly been considered by the examiner in the prosecution of this application and because the present amendments serve only to further define and emphasize the novel features of this

invention.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,  
COOPER & DUNHAM, LLP

A handwritten signature in black ink, appearing to read "Jay P. Maioli". The signature is fluid and cursive, with the first name "Jay" and last name "Maioli" being clearly legible, and "P." as a small middle initial.

Jay P. Maioli  
Reg. No. 27,213

JHM/PCF:pmc